

Mayor Low also having disapproved of the measure.

Another of the bills introduced by Senator Brackett aimed at the Corporation Trust Company passed the Assembly to-day. This is the one that provides for the punishment of persons connected with a corporation who make false statements as to its solvency.

Senator Brackett's proposed constitutional amendment providing for trial commissioners in New York and Brooklyn when the Supreme Court calendars are congested passed the Assembly by a party vote of 81 to 38. It has to pass another Legislature before it can be submitted to a vote of the people. This can be done next year, as the next Legislature will be a new one. The trial commissioners are to have the same powers as Supreme Court Justices, with the exception of those of the Special Term.

**LINEMAN IN POLICE DEPARTMENT.**

Senator Fitzgerald's bill creating the office of chief lineman in the New York city Police Department caused a little excitement in the Assembly to-day. Assemblyman Wallace (Rep., N. Y.) opposed the bill, but it was carried through Republican votes from up State, receiving 77 votes in its favor, one more than enough to pass it, and 39 in opposition.

The bill provides for the delegation of powers to the chief lineman, and some of them felt that their wishes were not respected or regarded by the majority. Senator Rogers said that he had been made the victim of a bitter attack in private by one of the New York City Republicans, Assemblyman Perham (Rep., N. Y.) who denied that there were any grounds for a charge. Eventually all of the New York City Republicans said they had great respect for him, but they would not support his request that he do so. Mr. Rogers withdrew his motion and the bill now goes to Mayor McClellan. The lineman is to be appointed from the uniform force and is to receive a salary of not less than \$1,200 and not more than \$1,500 a year. There is no politics in the bill, but certain Republicans are afraid that New York City have constituted themselves as guardians of the New York City treasury and refuse to permit any aid to be made upon the treasury which they do not make themselves.

**JARVIS CARE OF DR. PILGRIM.**

The Assembly also passed Assemblyman Fish's bill, which permits Dr. Charles W. Pilgrim, superintendent of the Hudson River State Hospital for the Insane, to take the position of president of the State Bar Association in June. In order to get him to consent to such a change from his present position it was necessary to have a bill passed providing that his salary should be \$2,500 a year, \$1,200 a year for expenses, and also that he shall serve for life during good behavior. Dr. Pilgrim, like a good many other holders of public offices at present, is fearful that Gov. Odell's numerous mistakes and follies will be responsible for the State going Democratic next fall, and he would not take the position unless he was assured that partisan politics would not shorten his term of office.

The Senate passed Assemblyman Monroe's bill appropriating \$250,000 to establish a State agricultural hall at Cornell University. The vote was 30 to 17. Senators Burton, Cullen, McCabe, McCarran and Wagner, of Brooklyn, and Ramsperger of Buffalo, Democrats, voted with the Republicans for the bill.

The Senate passed the Assembly bill appropriating \$1,000,000 for good roads.

**SENATOR GRADY IN A RAGE.**

Because the Republican majority in the Senate refused to amend Assemblyman Newcomb's bill providing for the classification and instruction of male misdemeanants in New York City, Senator Grady, who is a Republican, was in a rage and declared that no court case would be extended by the minority for the remainder of the session.

The Newcomb bill is favored by the Children's societies of New York City and establishes on Hart's Island what hereafter may be known as the New York City Reformatory for Male Misdemeanants. It provides that after Jan. 1 next male misdemeanants between the ages of 14 and 21, who are not sentenced to the State Prison, shall be sent to this institution, in order to have the full benefit of reformatory and educational influences. Persons sent there are not to have any contact with the outside world, and a parole board of nine members, which is provided for in the bill.

Senator Keenan (Dem., Queens) asked that the bill be amended so as not to apply to Queens county. He stated that the Democratic Sheriff could not afford to lose the fees he now gets for boarding these male misdemeanants.

Senator Elberg, who has charge of the bill in the upper house, declared that the question of a fee collector was not to be permitted to interfere with the establishment of a great reform work, and he declined to accept any amendment. After a while he accepted an amendment that would only apply to the present Sheriff, whose term of office expires on Jan. 1, 1907. This is now a fee office, but meanwhile it will be made a salaried one.

**OFFICE OF CORONER ABOLISHED.**

Senator Elberg's Bill Passes Both Houses Under an Emergency Message.

ALBANY, April 8.—Under an emergency message from the Governor, both houses of the Legislature to-day passed Senator Elberg's bill abolishing the office of Coroner in New York City.

The bill does not affect the Coroners at present in office, except that as each coroner's term expires a successor is not to be elected. All appointees in the office of the Coroners except those protected by the civil service rules are legislated out of office by the bill.

The proposed new statute provides for the appointment of a chief medical examiner and six medical examiners in Manhattan, four for Brooklyn, three for Queens and two each for the boroughs of the Bronx and Richmond.

They are to be physicians, and are to be appointed by the Mayor, to take office on Jan. 1, 1905. They are to be appointed as far as practicable from the Coroners' physicians in office on Dec. 31, 1904.

Offices are to be established in each borough for the medical examiners. The salary of the chief medical examiner is to be \$6,000 a year and those of the medical examiners \$5,500 each. The medical examiners are to be a part of the Department of Health.

The examiners are to assume all the duties of the Coroners, with the exception that they are to make their reports in all suspicious deaths to the City Magistrate, and if an examiner is not satisfied with the result of an examination into the cause of death of a person he is to refer the case to an Attorney and is then to make an autopsy in the presence of that officer and a police officer.

## ENOUGH HOME RULE IN CITIES.

THAT'S THE DECISION OF GOV. ODELL'S CONFEREE.

They Report That All the Cities of the State Except New York Are Satisfied With the Home Rule They Now Enjoy and New York Will Have All It Needs.

ALBANY, April 8.—The final report of the home rule conference of members of the Republican State committee and Republican members of the Legislature, called by Gov. Odell early in the session, justifies the statements made at its inception—that it would result in a fiasco.

The report of the committee, made public to-day, is in the nature of a campaign document. It was prepared by Senator Elberg, and typewritten copies were made in the Executive Chamber to-day. In effect, the report says that all of the cities of the State are satisfied with the measure of home rule they now enjoy, and that New York City will have an exceedingly full measure of home rule if laws are enacted giving the Police and Fire Commissioners the power to reinstate members of their respective forces and empowering the local authorities to issue bonds for corporate purposes without special legislative enactment.

Bills carrying out these purposes have passed the Senate and will pass the Assembly to-morrow.

The report does not in any way touch the question of the Sunday opening of saloons in New York City, nor is any mention made of the proposition to permit restaurants to sell liquor every day in the week. The restaurant idea never has been considered seriously by those familiar with the temper of the Legislature on the question. In fact, there will be no excise legislation of any nature this year.

In the home rule report it is asserted that many of the bills presented to the Legislature on the home rule idea are unnecessary. The report says that the Legislature is already vested in Boards of Aldermen and that the only complaint comes from the city of New York because of a misunderstanding of the powers of the City Charter, granted by its own Charter. Briefly, the presentations of the committee are as follows:

That, taking into consideration the varying conditions, home rule is to a large extent secured to every city in the State by the present Constitution.

That there is no complaint from Buffalo as a first-class city or from the various second and third-class cities, and that all the cities come from the city of New York.

That home rule does not mean that a city shall be entirely independent of the State, and that it shall be divorced for every purpose of government from the State, for such a condition would render continuance of the State impossible.

That the present New York Charter was framed by New York, and that the authorities with one or two minor exceptions, and therefore criticism as to its character should be directed at the State.

That many proposed amendments to the New York City Charter are impossible because of existing laws, and that the effect of the new legislation would be permissive and not mandatory, but as the bill passed the Legislature it is not necessary to consider any other solution of the rapid transit problem than that involved in municipal construction, without the money incorporated in the existing law.

The bill had been amended as requested by the Rapid Transit Commission, so as to permit the city authorities to make a lease at the same time that the contract for construction is let, and that the new law permitted under the present law, the effect of the new legislation would be permissive and not mandatory, but as the bill passed the Legislature it is not necessary to consider any other solution of the rapid transit problem than that involved in municipal construction, without the money incorporated in the existing law.

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## OPPOSES THE ELBERG BILL.

R. T. Connel Wires the Governor to Make the Board's Position Plain.

Counsel to the Rapid Transit Commission sent this telegram yesterday to Gov. Odell.

NEW YORK, April 8, 1904.

We feel it our duty to formally contradict the statements appearing in the press this morning that the Rapid Transit Commission bill is a compromise measure in that the amendments which the Rapid Transit Commission consider not only important but essential, and is disapproved by it.

In explanation of the telegram Albert B. Boardman said: "The present Rapid Transit bill is not a compromise measure. It is a bill to prevent municipal expenditure, unless as far as possible the city is to be relieved by the construction, there should be included a lease securing a rental sufficient to protect the city from the possibility of loss. The theory is that no railroad ought to be built at the expense of the city unless there be such a demand for it that capitalists can be found who are willing to risk their money upon the chance of its paying."

"The Elberg amendment abolishes all the requirements for the union of construction and operation, and enables the Rapid Transit Board, with the approval of the Board of Estimate and Apportionment, to construct any rapid transit railroad, without regard or concern, before or during construction, as to its future operation or the cost of the same."

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## DEAL TO CONTROL CITY COURTS.

REPUBLICANS FORM A COMBINATION WITH TAMMANY.

One Object Is to Oust Magistrates in Brooklyn Who Are Friends of McClellan.

ALBANY, April 8.—Much misinformation has been printed regarding the minor court judges in New York and Brooklyn. The facts are as follows:

Sensor Elberg and Assemblyman Perham have introduced a bill which provides for five additional City Court Judges in Manhattan borough, to be appointed in September by Gov. Odell. The new are to be elected at the following fall election for a term of nine years, at a salary of \$10,000, so that their terms will expire in an odd year, as required by the Constitution. Then there is a vacancy on the City Court bench, caused by the death of Judge Fitzsimons, which Gov. Odell will fill, making six judges of this court, that he will be empowered to appoint if the bill passes the Legislature, as is expected. It has passed the Assembly and is now on the order of final passage in the Senate. It is understood that Gov. Odell will appoint four Tammany and two Republican Judges, and that Tammany will nominate the six appointees of the Governor in the fall.

There is another bill, which was also introduced by Senator Elberg and Assemblyman Perham. It redistricts the Municipal Court districts in all of the boroughs of New York City and increases the number of Judges in Manhattan borough from five to eight. It legislates the present Municipal Court Judges out of office on Jan. 1 next, and new Judges in all of the boroughs are to be elected at the fall election for a term of nine years, at a salary of \$10,000.

The order of final passage in the Senate and the Assembly bill is in the possession of the Assembly Committee on Rules. Senator Elberg to-day gave notice that he is going to move to suspend the rules and pass the bill on Wednesday next, and those who favor it say it is sure to go through, as Tammany favors a new deal concerning the judgeships in the courts.

Assemblyman Remsen has introduced a bill, which is on the order of final passage in the Assembly. It legislates out of office at once the City Magistrates in Brooklyn and empowers Mayor McClellan to appoint their successors. Nearly all the Republicans in Brooklyn are friends of Senator McClellan, and it is said that the Republicans have formed a combination to pass this bill, to pass the bill, the Republicans to get possibly three out of the five Magistrates. No bill affecting the City Magistrates in Manhattan or the Bronx has yet been introduced.

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## EAST SIDE EVICTIONS OFF.

Courts Only Too Ready to Postpone All Cases—One Landlord Has to Run.

There was a lull yesterday in the hostilities between the rent raising landlords of the East Side and the tenants. As predicted in THE SUN, none of the dispossession proceedings pending in the courts reached the eviction stage, because Justices Roach, Hoffman and Sanders readily granted delays in all cases so as to assure the Jewish tenants of possession of their homes over their Sabbath.

That the landlords are alarmed by the concerted action taken by tenants all over the ghetto and by the adverse expressions of public opinion, was indicated by the fact that few new applications for dispossession warrants were filed yesterday.

Only one landlord to appear in person in court. He was M. Muscovitz of 49 Cannon street. He was recognized by his tenants as he was leaving Justice Hoffman's court in Clinton street. It took him about ten seconds to get away from a crowd of hooting men and hissing women who seemed willing enough to make his wish that all his mansions were in the hands of the Jews on the East Side. They lacked a leader, and the landlord got away unharmed.

Bertha Liebow, the young woman treasurer of the Rent Protective Society, is going to call on the Mayor to-day to ask for a permit for the Jews to have a parade and open air meeting. There will be an anti-rent raising meeting to-morrow night in McKinley Hall, and a mass meeting on Tuesday night in a new Irving Hall.

**RAISE IN RENTS NECESSARY.**

R. W. De Forest Says It Was the Law of Supply and Demand That Did It.

Robert W. De Forest, Tenement House Commissioner under the new administration, told Columbia students yesterday about the department of which he had been head, and had something to say about raising rents on the East Side.

Mr. De Forest said that the raising of the rents had come as a natural result of the law of supply and demand, but laid a part of the blame upon the building strike. His remedy is the extension of the law for the benefit of the city, who are most particularly affected, to parts of the city where land is cheap.

**FROELICH'S CASE HELD UP.**

Policemen Are in Court to Deny His Bond Story, but Do Not Testify.

Recorder Goff held yesterday the case of Herman Froelich, who is on trial for perjury in connection with baiting out a woman in the Fifth street police station a year ago. The charge against Froelich is that he swore he was the owner of a Washington avenue house which he had previously transferred to another.

His case has been held up by the fact that he did nothing but sign a blank bond form, and that some one else filled in the property description. The Recorder said that he was in doubt as to the evidence, and that he would hold Froelich until he could get more evidence.

Senator Elberg gave notice to-day that he would on Wednesday next move to suspend the rules so that the bill could be passed out of the Senate.

All the appearances point to the conclusion that Gov. Odell and his representatives in the New York and Brooklyn Legislatures have an agreement with Tammany Hall to push this legislation through the Legislature, with the understanding that the city will have a minority share of this judicial patronage.

**EITHER CAN HAVE THE MANSION.**

Park Commissioner Will Have to Decide Between Dames and Daughters.

ALBANY, April 8.—The Senate to-day passed Assemblyman Newcomb's bill permitting the Park Commissioner of New York City to transfer to the Colonial Dames of America or to the Daughters of the American Revolution the Jumel mansion in New York City.

The Senate City Committee amended the bill so as not to give offense to the society. The bill now provides that the Park Commissioner shall have the right to decide whether the mansion shall be given to the Colonial Dames or to the Daughters of the American Revolution.

Senator Elberg's providing for the payment of the Rapid Transit Commission's bill for dredging Pier No. 55, New York City, and for the payment of the bill for the dredging of the Hudson River, was also passed to-day.

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## SPECIAL PIANOLA RECITAL

At which will be used for the first time in concert the new

Webster Small Grand

TO-DAY, SATURDAY, April 9, at 3:00 P. M.

(No Cards of Admission Necessary.)

SOLOISTS:

Mr. J. HENRY MCKINLEY, Tenor.

Mr. FRANK TAFT at the Organ. Mr. ERNEST HUNTER at the Pianola.

AT this recital a feature of special interest will be the use of the latest Webster creation, a small Grand piano, measuring but 5 feet 4 inches in length. The program will have additional attractiveness, because of the remarkable power, richness and purity of tone of this new instrument.

Felix Mottl, General Music Director of the Metropolitan Opera House, says: "The Webster Small Grand is a revelation. I never thought it would be possible to encompass such marvelous tone in so small an instrument." This little Grand, occupying scarcely more space than an upright piano, is creating enthusiasm among distinguished musicians everywhere.

362 Fifth Avenue, Near 34th Street.

AEOLIAN HALL,

At Pan-American Exposition

Gold Medal

At Pan-American Exposition

Gold Medal

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